Assessment
Receptor Approach Pilot
Interim Assessment
June-September 2014
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1. Background

The Dutch government has commissioned a pilot to determine the usefulness and applicability of the so-called "Receptor Approach (RA)" to Dutch human rights policy. This pilot comes at a time when the effectiveness of Dutch human rights policy is a focus of attention.[1] The Receptor Approach addresses the issue of promoting human rights by improving correspondence with local cultures and traditional social institutions (relationships, obligations and roles). The purpose of the pilot is to contribute to RA human rights theory, test and develop an innovative approach that ensures a more active engagement of countries where the protection and promotion of human rights is in need of improvement.

The initial presentation of the RA generated ample discussion in political and academic circles. The first drafts and articles on the RA presented daring arguments and binary parameters. Attention was drawn to the concept, resulting in debates in Parliament in 2011 and 2012, discussions and papers from academic circles (see bibliography) and specialist advice from AIV/CMR[2]. Both the advantages and drawbacks of the approach were subject of wide debate. In order to test the Receptor Approach theory, a Pilot was designed to apply the approach in the field.

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[1] Verantwoordelijkheid voor vrijheid, available at: http://www.rijksoverheid.nl/documenten-en-publicaties/rapporten/2011/04/05/notitie-verantwoordelijk-voor-vrijheid.html

[2] The dutch government, in agreement with the RA, aims to more dialogue and concrete cooperation and less confrontation by enhancing respect for local socio-cultural arrangements: "In de regeringsreactie van 10 juli 2012 onderstreepte het kabinet dat de receptorbenadering een onderdeel vormt van het mensenrechtenbeleidsinstrumentarium. De receptorbenadering is niet het enige instrument, maar er gaat extra aandacht naar uit. De regering stelde in haar reactie dat het minder belangrijk is hoe een land de mensenrechten verzekert, maar dat een land die mensenrechten verzekert. De regering stelde verder met de receptorbenadering te streven naar meer dialoog en concrete samenwerking en minder confrontatie door meer gebruik te maken van lokale sociaal-culturele arrangementen om een maatschappelijk proces gericht op bevordering van mensenrechten te stimuleren. Op 2 oktober 2012 wisselde de Vaste Commissie voor Buitenlandse Zaken van de Tweede Kamer wederom van gedachten met de minister over de receptorbenadering tijdens een Algemeen Overleg.

To address some of the issues raised, the Terms of Reference (ToR) of the Pilot were re-drafted and one of the PHD researches addresses the question of whether states can "outsource" their human rights obligations to social institutions. This interim evaluation describes and analyses the first outputs of the RA Pilot on the basis of interviews with stakeholders from six relevant groups, including the research team, the Ministry of Foreign Affairs, African and Chinese experts and contributors, NGOs and experts in the field. It seeks to go beyond theory, policy and myths to identify progress, concrete results and lessons learned. It will do so by verifying whether the objectives set for the pilot are being met thus far.

2. Evaluation Methodology

The pilot project Receptor Approach to human rights includes two parallel actions:

- assist States in Africa in meeting their treaty obligations and
- develop an academic human rights dialogue with actors in China.

The RA starts from the premise that human rights may be more effectively implemented nationally through culturally sensitive non-legal measures, such as social institutions. It is also based on the notion that the human rights discourse needs to be "de-westernised", making way for an approach that is embedded in practise and human rights processes in non-western countries. In all countries in the world, century old and 'transcultural' practices, social and justice institutions are in use that are coherent with human rights treaty compliance. The RA seeks to promote implementation of international human rights obligations through social institutions and remedy human rights shortfalls through "social engineering". Is the pilot reaching its objectives? Is progress being made towards the expected outcomes?

The evaluation consisted of 3 phases:

Preparatory Phase 1: meet the principal actors, draft the new ToRs of the pilot project, develop the evaluation methodology and work-programme, collect and analyse available documentation, consult the academic panel about the ToR and methodology, include suggestions. The evaluation was overviewed by a panel of academics with relevant expertise in the three main disciplines involved: human rights studies, anthropology and International Relations theory: Professor Dr. Kees

Flinterman (Professor of international and European Law), Professor Dr. Alfred van Staden (Professor of international relations at Leiden University) and Dr. Caroline Archambault (Canadian Anthropologist specialised in researching the position of women in Africa).

Phase 2: Interviews and analysis Map the stakeholders, develop the interview questionnaires, conduct interviews, develop lessons learnt, consult the academic panel and Foreign Affairs in Utrecht about the interim report.

Phase 3: Synthesis and final report

The evaluation included three lines of multilayered interviewing, starting with tailored questionnaires and continued with follow-up questions on:

- The PHD research on the RA;
- The RA pilot in Africa and
- The RA pilot in China

Stakeholders[3] were in first instance approached by e-mail, accompanied by a letter of introduction from Professor Zwart. In total, 35 members of the team plus experts were approached and all replied. Several responded with general answers from RA textbook formulas, in which case second and third follow-up mails were sent.

3. Progress towards expected results

3.1 The Team:

	Composition Receptor Group 2014
Chair	Tom Zwart (Netherlands School of Human Rights Research)
Administrative support staff:	Esther Heldenbergh (Netherlands School of Human Rights Research; project secretary) *and* Vanessa Los (Netherlands School of Human Rights Research)
Senior researchers:	- Seth Kaplan (International Relations Department, Johns Hopkins University)* - Michael Odhiambo (Netherlands School of Human Rights Research)** - Augustine Hungwe (Netherlands School of Human Rights Research)** - Mimi Zou (School of Law, Oxford University)*
Junior researcher	Henrike Prudon (Netherlands School of Human Rights Research)**
PhDs	- Congrui Qiao (Netherlands School of Human Rights Research)** - Stacey Links (Netherlands School of Human Rights Research)** - Julie Fraser (Netherlands School of Human Rights Research)** - Ingrid Roestenburg (Netherlands School of Human Rights Research) - Charlotte Maas (Netherlands School of Human Rights Research)

[3] Annex 1 includes a full list of names

	- Ming Niu (Netherlands School of Human Rights Research)***
Assistants	Nikki Mowbray (Utrecht School of Law) Zaineb Sombra (The Hague University of Applied Sciences)
Trainees	Nora al Haider (Research Master, Utrecht School of Law) Phoebe Oyugi (Research Master, School of Law, Rhodes University) Elise Ketelaars (Research Master, Utrecht School of Law)
* takes part in the meetings on the basis of availability ** position funded with the financial support of the Foreign Office *** position funded with the financial support of the Chinese Scholarship Council	

3.2 Expected Outputs

Thus far, the pilot has seen some delays (in submission of state-reports and convening of meetings with Chinese academia) and changes, i.e. in the selection of target countries in Africa and research topics. It has received national and international attention (the receptor approach was discussed at the UNHCHR Workshop on Traditional Values of Humankind held in Geneva in October 2010)[4] and is producing an impressive amount of outputs (see attached list in Annex provided by the research team). The ability for the RA pilot to affect changes on the ground will take much time and is beyond the time limits of this evaluation.

3.3 Expected Outcomes:

3.3.1 The RA as a tool for engaging countries in Africa and Asia in Human Rights

a. Progress in Africa

According to the team, interest and support for the RA among academics and local NGOs in Africa is growing, and "African academics and NGOs see the RA as a potential resource for African states to rely on when drafting reports for international monitoring bodies". An all-Africa network has been set up, involving members of civil society that support the RA (currently 155 NGOs and 287 academics). Two annexes attached include the details of academics and NGOs in Africa who are involved or may be willing to get involved in the receptor projects, in addition to a sample of comments made by African academics on how the receptor approach could make a difference in Africa.

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[4] Mimi Zou, St Johns college, Oxford. "I have been actively involved in the China aspect of the project and can attest that the receptor approach has reached the ears of the highest level of human rights policymakers in Beijing. It is also one of the few research projects to date where Western and Chinese scholars from such diverse disciplines have collaborated so closely and directly on a human rights project in China".

Quotes from African academics on the RA:

- *In parts of Africa, global human rights standards are perceived to be a tool to subjugate the continent and as a result they lack interest and legitimacy;*
- *Global human rights are perceived to be the expression of western culture which does not consider local realities. The RA taps into local culture and way of life, thus bringing human rights "home" ;*
- *Understanding ethnography will contribute to strengthening human rights. Involving social and traditional institutions in human rights discourse, will legitimize the debate*."[5]
- *The RA makes indigenous or local systems and practices the starting point which is crucial for involving the local population. Non-western societies often use the argument that human rights are a western imposition and do not apply to non-western contexts, thus claiming immunity from international supervision. Introducing socially accepted local mechanisms to promote human rights effectively undercuts this argument.*
- *The RA accepts that in a given country local structures or mechanisms may be broken or even non-existent, and that in such cases they will have to be restored, repaired or rebuilt. This is important in societies that have seen their indigenous coping mechanisms systematically undermined and destroyed over a long time by various forces including colonialism, organised religion and economic manipulation. In South Africa, for instance, recent work on the custom of ukuthwala (the abduction of under-aged girls ostensibly for purposes of marriage) has revealed that many communities believe that the solution lies in the revival of amabutho (the age-regiment system) or some other means of strengthening the hand of traditional rulers and parents. There are many examples in current social debates of a yearning for a return to mechanisms and structures that existed in the past and which have now fallen into disuse.*
- *The RA allays the fears of rural communities that the modern state has a secret agenda to 'westernise' everybody by destroying their culture and tradition. This agenda is seen as a plot to undermine tradition and to abolish customary law. Again here, South Africa is a good example if one studies the debates that took place during the post-apartheid constitutional negotiations and the compromise solutions that were reached. The hostility and suspicion between proponents of 'modernisation' and activists for cultural identity remain among the most serious obstacles to cross-cultural dialogue, social cohesion and nation-building in South Africa and in many other African countries[6].*

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[5] Serges Kamga, senior lecturer at the Thabo Mbeki African Leadership Institute, African solutions for African problems

[6] Professor Thandabantu Nhlapo, University of Capetown.

Receptor ID and amplification

The pilot aims to offer an innovative approach to human rights through a process of participatory identification of local practices and norms, and recognition of the role local institutions play in meeting international human rights standards. Human rights are often perceived as challenging custom and traditional lifestyles. Tradition is often seen as incompatible with human rights. The Receptor Approach works from the premise that human rights can be enhanced through other dynamics than formal legal systems. 'Treaty obligations can be met in different ways, through social institutions and customs'[7]. Receptors are defined as moral or legal systems, social or structural (traditional) institutions. When traditional practice and local receptors for human rights are not compatible with universal human rights, the RA way forward is for the state to improve the existing social arrangements to meet its international obligations. During this "amplification phase", elements are added to existing institutions (social engineering) rather than replacing them with imported solutions. An example of social engineering identified by the RA is finding common ground between international human rights, religious and traditional concepts. A case in point: the Government of Zimbabwe employs the help of Sabhuku (or Village Heads), religious and spiritual leaders to persuade parents give up their objections against vaccination against measles and polio rooted in their beliefs (2012)[8]. Or: the revival of *Zunde raMambo* (the Chief's Granary)[9], a survival strategy of minimizing food stress in rural areas. Historically, older persons, widows, orphans and persons with disabilities were prioritised by the chief and the community in the production and allocation of food. Today the revived practice is used to support people with HIV/AIDS and address to its stigma.

The pilot conducts case studies in different countries in Africa to identify viable receptors and lessons learned from applying the RA. The results of the study are expected to be published in 2015. The document aims to flag local initiatives that

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[7] National Implementation of International Human Rights Obligations: Legislation and "Other" Effective Measures. *Julie Fraser: PhD Researcher on the Receptor Approach at the School of Human Rights Research, Utrecht*

[8] Professor Augustine Hungwe (receptor team)

[9] Zunde raMambo- an African cultural strategy for protecting human rights and combating against HIV/AIDS and its stigma by Augustine Hungwe presented at the 'Relying on Culture to combat HIV/AIDS and the stigma associated with it' conference at the Research Center for Human Rights, Shandong University Law School, October 14- October 16, 2013, Jinan, China.

enhance human rights and make them visible to the treaty monitoring systems. The applied methodology is a mix of desk research, field experience and first hand data collection from interviews. Thus far, the study has identified and labelled the following social institutions as “receptors”: *the Ekika social institution and Mato Oput (Uganda), Abunzi (Rwanda), the Juddiya the Bashingatahe social institution (Sudan), Gaada (Ethiopia), Kgotla (Botswana), Zunde raMambo and Dare (Zimbabwe), the Gacaca courts (Rwanda),, the Sungusungu social institution of Tanzania*[10].

Other examples: Elders, religious leaders, traditional healers, birth attendants or witchdoctors who act as a vehicle to promoting human rights:

> *The Luo Council of Elders are the custodians of the Luo customary law code and is recognised by Kenyan law as a cultural institution. HIV/AIDS led to a high number of widows in Nyanza province. Widow inheritance is a Luo practice that involves ritual cleansing through sexual activity, involving further risks of infection. The Council adapted traditional practice to allow for safe widow cleansing rituals not involving sexual activity but public display. Widows can wear the coat of their deceased husband and thus inherit. In this way, women’s rights are upheld through bending cultural practice in a manner that is acceptable by the community and within the constitutional framework. When a social institution such as the Luo Council of Elders is trained on general principles of human rights, they can be a valuable change agent.*

Or: social institutions and traditions are “uplifted” as active contributors to human rights. Here below one finds an example of a traditional institution that becomes a partner of the government in furthering the objectives of CEDAW.

> *The Wolof society in Senegal includes women’s groups (Mbotaays) since time immemorial are part of the social fabric. Founded on social values such as kinship, reciprocity and mutual respect, they are caretakers of women’s space for economic advancement, education, support as well as resistance to oppression. Since the 1980s, the Senegalese government has facilitated their registration into formal Groupements de Promotion Féminines (GPF), which operate under the umbrella of the Fédération Nationale des Groupements de Promotion Féminine (NGPF). Through institutionalisation, the groups professionalised and received formal legal status allowing them to accept donor contributions and become platforms for education and schooling*.

How above mentioned cultural practices concretely strengthen human rights, how these could be highlighted by governments in UN state reporting and how policies and projects could support good practice, is to be clarified by the pilot for each of the identified receptors.

[10] See progress on RA study draft.

State-reporting

Today, 53 African countries are member states of the United Nations. Most of them have signed and ratified the core UN human rights treaties. Treaty ratification is not infrequently associated with worse practices than otherwise expected[11]. This can be explained in part by the dual nature of treaties as both instrumental and expressive instruments. Treaties not only create binding law, but also declare or express the position of countries that ratify them. Because human rights treaties tend to be weakly monitored and enforced, countries that ratify may enjoy the benefits of this expression including, perhaps, reduced pressure for improvements in practices without bearing significant costs. Better ways can be found to help ensure that human rights treaties improve the lives of those they are meant to help[12]. The RA proposes a way to do just that.

States that are parties to international human rights treaties are obliged to submit regularly reports to human rights treaty monitoring bodies (composed of independent experts) that are established by those treaties. Many African states do not (fully) comply with these reporting obligations. The RA pilot identifies two main causes for non- and underreporting in Africa: limited capacity and the perception that the way in which reporting procedures are currently being conducted does not do sufficient justice to the positive developments that are taking place in the reporting states. The current reporting procedures focus mainly on the law and individually enforceable rights, while paying limited attention to social institutions that contribute to furthering human rights in Africa. The RA seeks to be a strategy to increase African states involvement in protecting and promoting human rights, strengthen their commitment to their international legal obligations and also improve the quality and scope of their reporting to the international monitoring bodies. "*Alongside the reporting of formal legal provisions and government programmes, state reporting on human rights conventions, like CEDAW, should embrace a RA approach. There should be space for countries to articulate and define key concepts in rights discourse and to showcase and identify the key institutions that are involved in promoting, protecting, or hindering rights*"[13].

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[11] AJS Volume 110 Number 5 (March 2005): 1373–1411 1373 2005 by The University of Chicago. Human Rights in a Globalizing World: The Paradox of Empty Promises, Emilie M. Hafner-Burton Oxford University, Kiyoteru Tsutsui (State University of New York, Stony Brook), 2005.

[12] Do Human Rights Treaties Make a Difference? Oona A. Hathaway 111 Yale L.J. 1870 (2002)

[13] Comments to the RA Pilot Program: CEDAW Senegal Report, Caroline S. Archambault, 2014.

The RA developed a special tool for selecting countries for the State Reporting project (SRP): the Receptor Index. The index includes a number of selected variables that best reflect the reporting efficiency of the state party to one of the core UN human rights treaties, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the role of social institutions in promoting or curtailing the rights of women (see ANNEX 2). The selection of the five pilot countries by the RA Working Group on State Reporting in Sub-Sahara Africa - Senegal, Liberia, Cameroon, Swaziland and Lesotho - was based on this index. Is the pilot progressing in collaborating with African states to include social institutions as complementary mechanisms to legal instruments in reporting to human rights monitoring bodies and improving implementation of human rights treaties in Africa?

To enhance cooperation with CEDAW, a paper on the relevance of the RA to CEDAW was published. The document makes a distinction between "social institutions leading to gender discrimination, redressing discrimination", and those promoting gender equality. It also proposes to "*build on the positive elements of social institutions to undo the negative ones to make it easier for members of societies who have deeply held cultural beliefs to embrace international human rights*". The definition of "positive" is complex and requires further explanation.

The pilot also produced a document for the 8th state report of Senegal to CEDAW[14]. It was originally drafted in English on the basis of desk research, in-situ visits and interviews, but without formal involvement of the Ministry of Justice and the government of Senegal.[15] It uses quotes from Senegalese novelists to make a point about the role of women. It juxtaposes "*the emancipation of women in Senegal [which} is not based on antagonism between men and women*" with "*feminism*". It describes the changing role of women griots and Sabar dance and drumming. How culture, religion or literature concretely promote human rights and contribute to compliance with CEDAW, needs to be further clarified by the document.

[14] By the State Reporting Project for Africa at the Netherlands School of Human Rights Research, an inter-university alliance of the School of Law (Faculty of Law, Economics and Governance) and the Faculty of Humanities of Utrecht University, and the Faculties of Law of Maastricht University, Erasmus University of Rotterdam, Tilburg University and Leiden University. The T.M.C. Asser Institute, The Hague, also participates in the Research school. The Netherlands Institute of Human Rights (SIM) is one of the core institutes participating in the research alliance.

[15] UNSEX CEDAW or What's wrong with "women's rights, Darren Rosenblum, 01/2010

The next state report on Liberia was planned to be issued in November 2014. The Liberian context is different from Senegal: the government has limited capacity (few experts in law) and NGOs play an important role in advising the government, sometimes even taking up government responsibilities. This second receptor state reporting experience builds on the first. This second pilot starts from the latest concluding observations of CEDAW, a MOU was signed with the Human Rights Division of the Liberia Ministry of Justice, contacts were established with the Ministry of Home Affairs and the UN Commission in Liberia. Cooperation was sought with Men and Women secret societies, the National Traditional Council of Liberia (a formal structure under the Ministry of Foreign Affairs) through its General Coordinator, Madame Setta Saah, the NGO Liberia Crisis Centre (Ambassador Beverley Goll-Yekeson) and the so-called “bush-schools”. The report will elaborate on the role of traditional women organisations and where local practice, such as female circumcision (FC), is in contradiction with human rights. It will lay out an approach that is respectful of local social processes but not contradictory to universal human rights.

Delivery of the outcome of the RA Pilot to the Dutch Ministry of Foreign Affairs on state reporting (Senegal and Liberia) was delayed with several months[16]. In a letter to the University of Utrecht, some critical issues were raised. The academic panel was asked to analyse a new draft of the Senegal State report.

Expert Opinion of the academic panel:

Observations (process):

* The cover page of the RA State Report suggests it is a government report, however, the status of the report is yet unclear;

* For this report to be submitted as an official government document, it has to be drawn up by/with the government as CEDAW does not welcome reports that are written by consultants or organisations external to a government;

* For this report to be a state report, it would be advisable that the government of Senegal submits the draft report to Parliament for review;

* If the report is submitted as a shadow, it will be filed with NGO reports that are likely to be critical of government action in the field of protection of women (which is not the purpose of the RA);

Observations (content)

[16] February, March, 2014,

* The language and style of the report is unconventional;
* The report seeks to broaden the scope of human rights reporting by identifying 3 principle types of institutions: religious institutions (religion as a base for development and in enhancing women's political authority, economic opportunities and education; women's organisations (the centrality of these in fostering women's rights) and family and households (women gaining responsibility within the framework of the family and polygamous marriages as empowerment). It highlights elements of gender complementarity, femininity and masculinity and the importance of community and family in achieving emancipation, freedom and wellbeing;
* The report shows that women in Senegal can rely on traditional values to promote gender equality;
* The section on Senegalese literature articulates a worldview in which society strives to marry tradition with modernity. The direct link between literature and enhancing women's rights requires further clarification.

Recommendations:

1. The status of the report needs to be determined;
2. The content of the report needs to focus on meeting the pilot project objective of clearly demonstrating the relevance of local institutions to human rights;
3. The style of the report needs to be adjusted.
4. In addition, panel member Dr. Caroline Archambault indicated that "*while religion is often overlooked or regarded as a barrier to the enjoyment of human rights, especially by women, the RA considers it a potential building block for rights' protection. This has proven to be fortunate in the case of Senegal. The religious associations in which women take part support the business activities of their members through mutuality and solidarity, assist them in translating their economic liberty into personal freedom, and exert political influence by impacting the political agenda and supporting suitable (women) candidates for public office. Consequently, the report rightly makes clear that religion is an important base for development in Senegal and plays an important role in enhancing women's political authority, economic opportunities and education. This focus on religion therefore deserves to be maintained.*

RA regards traditional values as potential building blocks for rights' protection. The report shows that the women in Senegal rely on these traditional values to promote gender equality. Thus, they show respect for the men by making their case within the privacy of the family household rather than in the public domain. They do not support their claims by invoking rights language or gender theory, but by emphasising the reciprocity underlying the marriage contract. This allows the men to uphold their image as the head of the family and the main breadwinner, although this image no longer corresponds with the reality behind the façade.

As a result, the men are not put on the spot and, consequently, they are more receptive to change. The report rightly identifies families and households as the primary institution through which gender roles and statuses are being negotiated, resulting in gradual change which is experienced as driven by men and women together. The description of this setting, in which women gain roles and responsibility within a framework of mutuality and complementarity rather than rivalry and emasculation, deserves to be retained."

b. The pilot made in China

The RA pilot in China develops activities that focus both on internal human rights practice (academic diplomacy) and external human rights policies (research). China's success since the late 1970s challenges Western thinking about development in a number of significant ways. Yet, the development field rarely attempts to learn from the country's experience. Why has China succeeded in transforming its economy when most developing countries have not? [17]. China today challenges western geopolitical leadership, but also the legal, institutional and security framework of the post-war international order upon which that leadership was founded. China's foreign policy is shaping an alternative international power structure. Its foreign economic investments are increasingly influential in Africa and the rest of the world[18].

In this context, the RA could easily "be misused in times when states [like…] China, call upon 'traditional values' and local culture as an exception to the protection of certain inalienable human rights[19] and the pilot should be aware of that at all stages of implementation. The RA believes that the study of the role of Chinese social institutions can contribute to the human rights debate and implementation. In Chinese the approach has been translated by 'zai ti' (a term in biochemistry for 'receptor'). Human rights are given meaning and implemented in ways by the very people at the grassroots level seeking to protect them. These arrangements could tap into diverse elements of local cultures and traditions in China that embody and promote human dignity, individual and collective wellbeing. As China has signed up to a number of international human rights obligations (although is has yet not ratified

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[17] Seth Kaplan; China and international development, re-thinking economic reform and transformation, John Hopkins University.

[18] http://www.theguardian.com/commentisfree/2014/may/25/observer-editorial-china-challenge-not-threat

[19] Cees Flinterman en Jasper Krommendijk, En wie komt dan op voor Liu Xiaobo?, NRC 13 april 2012

the ICCPR), the RA points to the need to fulfil international obligations and adjust and reform existing local arrangements if they fall short of these obligations[20].

Quotes from Chinese scholars on the RA:

- *Many western scholars talk about human rights as if it were a western concept without roots in the other lands. The RA seeks to identify the roots of human rights ideas in other cultures. Human rights can be promoted not only through legal instruments and institutions, they can also be promoted through social norms and institutions. Traditional Chinese institutions contribute to promoting human rights values, that is why the RA is valued among Chinese scholars"*[21].
- *"In China there have been norms, values and practices in line with human rights since time immemorial. Chinese people today care about their roots, dignity and have pride in their history and culture. Human rights are therefore not foreign or imported, but embedded in local reality and resources. International human rights standards should build on Chinese society". "The Receptor Approach recognises the connection between the reality today and ancient times, between international standards and local conditions. Therefore, it is welcomed by Chinese researchers, the media and even government officials"*[22].
- *Chinese government and people doubt international standards, law and Western influence due to the bitter experiences dating from the end of 19th to the 20th Century. Understanding should therefore be a first step in cooperation. To promote human rights, China needs to create a new human rights culture, based on Chinese traditions with special attention for gender issues and child rights"*[23].
- *The RA has the potential to contribute to human rights in China as it supports mechanisms that respects human rights law and practice based local tradition and culture* [24]
- *"The RA is better than other ways of promoting human rights in China as it works towards finding local actors that can promote human rights in a Chinese way and make the accepting process easier"*[25].
- *"The RA can serve as a bridge to make bilateral human rights dialogue less hostile. Government officials, experts, and media in China still view human rights as a concept from the West. The RA puts indigenous values and institutions first and respects local practice, value systems and culture. CCTV invited Prof. Zwart to a talk show and his articles have been published by the People's Daily (Communist Party of China), which is*

[20] Interview with Mimi Zou, St John's College, University of Oxford

[21] Dr. Wei Zhang

[22] Liu Huawen (PHD), Assistant Director, Professor, Institute of International Law, Chinese Academy of Social Sciences(CASS) General Secretary, Center for Human Rights Studies

[23] Liu Huawen

[24] MAN, Hongjie (Ph. D), Associate Professor and Assistant Dean, School of Law, Shandong University

[25] Chang Jian

unprecedented"[26].

- *"The Chinese government has been seeking to introduce their human rights development. The RA will help western countries to learn [about] the human rights policies put forward by the Chinese government, and at the same time help the Chinese government to learn from human rights theories and experiences in the West. Our university cooperates with this project because we value the endeavor to bridge western human rights ideas with local traditional culture"*[27].

Science Diplomacy: Progress on establishing academic networks

The pilot uses science diplomacy in China as an entry point. An example of the impact that the RA can have on human rights debates in China is its international seminar on combating HIV/AIDS stigma[28]. As a socio-cultural phenomenon, HIV/AIDs stigma takes on different forms that vary from one culture to another. It is shaped by the interpersonal and intergroup relationships of a particular society, anchored in beliefs and ideologies of that society, and manifested in forms of everyday practices. A proper understanding of the socio-cultural construction and 'embeddedness' of HIV/AIDS stigma is necessary to inform the strategies to reduce stigma and discrimination. The RA focuses on identifying and drawing on such local sources, institutions and arrangements that can bring about and enhance the effectiveness and legitimacy of human rights, particularly in relation to issues like HIV/AIDS stigma, which requires changing public knowledge, attitudes, and behaviour. For instance, the social and cultural forces around family-individual relations in Chinese society can help to identify sources of this stigma as well as the opportunities for combating it for individual and family members through the strengths of family kinship[29].

Two international academic seminars have been organised with Chinese scholars, in Utrecht and in Jinan, China. Papers and articles have been published about the RA with contributions from Chinese and African scholars (see attached bibliography), lectures about the RA have been held in Africa and China. The Cross-cultural Human

[26] Yanqing Hong, former PhD

[27] Profesor Qi Yan-ping, Director research center at Shandong University, translated from Chinese by Quiao Congrui (UU)

[28] October 2013 at Shandong Law School, a key partner of the project

[29] Interview with Mimi Zou, St John's College, University of Oxford

Rights Network[30], set up in 2013 is operational and consists of Chinese, African, European and American academics. The next step is the establishment of the Cross-cultural Human Rights Centre in 2015. The Centre will act as an academic think tank involving Chinese and African and in the future possibly also Latin American scholars. The third seminar on the Receptor Approach brought together African and Chinese networks. The purpose was to draw attention to African and Asian perspectives on human rights and international law and share theory about culture as a building block for human rights protection. Chinese scholars on the purpose of this Centre:

- *"The cross-cultural human rights network can promote the process of finding the receptors and mutual understanding between different cultures. Human rights can then be accepted more easily in different cultures[31]" "The network is unique in its formation and organization, bringing together scholars and students around the topic of human rights"[32]*
- *The purpose of the network is to "Provide the platform for discussions and debates, promote the awareness and common knowledge of human rights, share the lessons and experiences. Sometimes, maybe even help eliminate the misunderstanding and hatred between States or peoples, and realize the peaceful resolution of conflicts »[33].*
- *The network organises constructive and fruitful discussions on theory and practice of the RA, as well as enhancing mutual understandings of the role of culture in the human right protection. It constitutes an opportunity to enhance the study of culture sensitive theory of human rights[34].*

The Chinese academic network seems to function well. Regular seminars on human rights lead to valuable discussion. Chinese students in the Netherlands take part in human rights courses and feed-back their experiences with their universities and

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[30] In addition to scholars from the Institute of International Law of the Chinese Academy of Social Sciences and the Research Center for Human Rights of Shandong University, researchers from the Institute of Human Rights and Humanitarian Law of the China University of Political Science and Law and the Research Center for Human Rights of Nankai University have now also joined the project; China's most prominent human rights NGO, the China Society for Human Rights Studies, has offered a podium for papers on the receptor approach several times, including during its side event on the occasion of China's Universal Periodic Review in Geneva in October 2013.

[31] Chang Jian

[32] Dr. Wei Zhang

[33] Liu Huawen, Assistant Director, Professor, Institute of International Law, Chinese Academy of Social Sciences(CASS)

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networks back home. The China Society for Human Rights Studies[35] and the Central Party School announced in December that they would like to join both the receptor project and the Cross-cultural Human Rights Centre which is being set up as part of the receptor pilot. The Society's Vice-President, Prof. Wan Exian, also Vice-President of China's National People's Congress, complimented the receptor group for reaching out to human rights scholars in China on the basis of equality and respect, which has led to open debate and mutual learning. The receptor group is the first international partner of the China Society.

An issue raised time and again in debates about the RA, is whether the approach is sufficiently critical of the reality of the human rights situation in China. A proper balance needs to be struck between identifying and supporting good examples of human rights initiatives in China and promoting respectful dialogue on the one hand and keep awareness respect for universal human rights on the other.

3.3.2: Contribution to theory building:

Progress on PHD research[36]

PHD1: Uncovering the human-rights dimension in Sino-African relations[37]?

PHD 2: The Receptor Approach to Human Rights Implementation under Public International Law[38].

PHD 3: "Freedom to Demonstrate in China": Analysis of the role of Chinese media and Mass Group Incidents (social demonstrations)[39].

The first research project explores the impact of international dialogue and engagement on human rights. Focusing on China and Africa, it analyses the need for culturally-sensitive international engagement to develop constructive dialogue on human rights. The second research examines specifically to how the RA complies

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[35] The CSHRS is an academic think tank set up by the leading scholars on human rights in China. It is known to have a major impact on the development of human rights policy by the Chinese Communist Party. The Society has been pushing successfully for the abolishment of re-education through labour and criminal law reform, including reducing the ambit of the death penalty.

[36] See annex 3 for a short description of each proposal

[37] Stacey Links

[38] Julie Fraser

[39] QIAO Cong-rui

with international human rights law as for the domestic protection of human rights. It will analyse what instruments other than law can be used under international human rights law to domestically implement the standards set out in the International Bill of Rights. Going a step further, the third research is a case study. The focus is on human rights implementation in China, looking specifically at whether and how the media can serve as a receptor that can facilitate freedom of expression and assembly.

Expert opinion of the academic panel:

Observations:

The PHD1 research question is formulated vaguely and in very general terms, the underlying hypothesis is difficult to falsify (values necessarily constitute an intrinsic part of Sino-African relations) and also difficult to measure. The concrete connection and relevance of the research proposal to the Receptor Approach needs to be further clarified.

PHD2 proposal is interesting and relevant as it analyses the complementarily and compatibility of the RA to international law, developing four case studies and identifying the requirements under international law. The link between the two parts of the proposal needs to be carefully assessed and the case studies have to be set in a comparative framework.

PHD3 proposal is interesting in itself, but raises the question of whether Chinese media can be considered "receptors". There is doubt about the definition of the media as local institutions and about the assumption of "the Chinese press" to be taken as a homogeneous group, without differentiating between the different media.

Recommendations:

1. Appoint second co-promotors and/or co-reading committees that will overview progress of the three PHD research projects;
2. Focus the PHD1 research on operational and measurable issues and align the research to concrete objectives of the Receptor Approach Pilot;
3. Clarify the problem statement, justify and explain the rationale of the PHD3 research for media being considered as receptors or social institutions. Differentiate between the different media in China.

Methodology: Is the RA developing a solid methodology to ensure a contextualised bottom-up approach to promoting human rights?

The RA engages at three levels of contact: Governments and monitoring institutions (CEDAW); academic institutions, civil society, grass root level organisations and social institutions. By engaging with states, the pilot aims to raise interest in the reporting process employing a dual approach: enhancing incorporation of legislation and working with social institutions as an approach towards meeting state reporting obligations. Through academic networking, publication and dissemination of information, the pilot introduces the RA concept in African and Chinese universities and publishes their articles. And by establishing contacts on the ground and desk research, the pilot identifies social institutions to enhance recognition of the role they play in furthering human rights.

Panel member Dr. Caroline Archambault added that *"despite the fact that there has been tremendous progress in legislating rights, considerable challenges remain in implementing and enforcing them. People who lack predictable and stable means to meet basic life needs may experience legal rights as being disconnected from the realities on the ground, because of their top-down formulation and their inaccessibility as a result of widespread illiteracy. People who lack the resources to meet life's needs, who still amount to the majority of the world's population, have access to human rights provision and protection through customary settings and local governance structures rather than through formal law. Without taking away from the importance of legal protection of human rights, the RA strongly emphasises ethnographic engagement to identify and build on local socio-cultural settings conducive to human rights. This is a promising dimension, which is likely to enable those who have to survive with the help of limited resources to assert their rights."*

The pilot started designing a guidepost for identifying receptors, including the following general phases: 1) identify social institutions and traditional practice to protect human rights; 2) relate human rights standards to these institutions and practices; 3) use local language to describe human rights standards; 4) identify similar and different aspects of local ways and universal human rights 5) identify an effective way of promoting human rights through these receptors[40] and principles:

- Research preceding identification of a receptor must be sensitive to understanding local perceptions;
- Receptors must be culturally embedded, have historical/cultural meaning and be normalized within the wider community, have a certain degree of legitimacy and relative stability;

[40] Chang Jian (edited)

- Receptors should also be open to positive change. (Some forms of the practice of trial by ordeal in Liberia, for example, have the accused drink poison (sassywood). If he regurgitates it, he is found innocent. Although customary justice itself can provide plenty of receptors to human rights, this type of trial in itself cannot be made compatible with human rights norms of fair trial.)

4. Relevance of the RA to effectiveness of Dutch HR policy

Dutch human rights policy includes cooperation with state and non-state actors and aims to ensure an efficient combination between two approaches: promoting human rights (positive approach) through dialogue and cooperation (essential to assist countries' adherence to international standards) and responding to violations of human rights (reactive approach: diplomatic denunciations, economic sanctions, and support for humanitarian intervention involving the use of force). It formulated the following priorities: protecting and supporting human rights defenders; championing equal rights for LGBTI people and equal rights for women. In addition, The Netherlands strives to combat the most serious human rights violations like torture, promote freedom of expression, religion and belief as well as advancing corporate social responsibility. In addition to these priorities, the Dutch Embassies engage in dialogue and project funding on priorities identified by civil society, women's groups, trade unions, etc. As the RA is focused on visualising and using socio-cultural institutions as local solutions implementing human rights, it could provide useful elements for improving dialogue and selecting specific human rights projects[41].

The universality of human rights is the starting point and Dutch human rights policies indiscriminately apply worldwide ('everywhere, at any time'). However, respect and understanding of different cultures should "remain a valuable correction of the tendency towards ethnocentrism, evaluating one's culture as superior to others or taking one's own values for universal values"[42]. Dutch policy in priority countries is not based on prior study of national human rights priorities or existing local practices that promote human rights. At the level of the EU, human rights strategies are developed as a basis for cooperation with third countries. Indeed the specific human

[41] Foreign Affairs answers to interview questions (Dewi van de Weert).

[42] Jan Servaes, Communication for Development and Social Change, 2008.

rights situation in a particular country will determine the selection of projects and local partners through the embassies, on the understanding that cultural aspects are always included in the approach to maximize effectiveness[43].

The Receptor Team[44] proposes that in the context of Dutch human rights policy, the Dutch *stance* in terms of content need not change. However, the team believes there is reason to modify the modalities of the policy. That is to say, the intended effect on human rights in a particular country and in the world at large, and local solutions to human rights issues in a given country should be assessed before implementing human rights policies. A RA provides an additional focus. The approach develops from the reality on the ground and concrete human rights challenges, but before engaging in policy decisions or project support, it first identifies existing local mechanisms that address particular human rights issues. The RA thus adds a layer of local capacity and needs assessment, involving both state and non-state actors, to contribute to enhancing a human rights dialogue based on mutual respect for diversity. This is in line with the AIV advise which is generally considered as a good basis for integrating the RA in Dutch human rights Policy[45]. Today's Minister of Foreign Affairs Bert Koenders, in a televised interview last December 28, 2014, also stressed the importance of human rights policies creating space for local custom[46].

"The debate and exchanges about the RA have contributed to policy development in human rights and Foreign Affairs, in particular where attention for cultural and traditional contexts, local human rights initiatives and non-legal aspects of human rights implementation is concerned. Addressing these issues would be a potential advantage of the RA. A disadvantage could be if states use the approach as an excuse for not complying with treaty obligations. RA publications therefore reiterate that human rights are universal and states should adhere to the treaties. If the pilot shows that in applying the RA, concrete progress can be achieved in promoting human rights and local initiatives can have practical impact, the RA will be useful as

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[43] Foreign Affairs answers to interview questions (Dewi van de Weert).

[44] Stacey Links

[45] Het advies van de AIV vrijwel algemeen werd gezien als een goede basis om de receptorbenadering een plaats te geven in het Nederlandse mensenrechtenbeleid. http://www.aiv-advice.nl/ContentSuite/upload/aiv/doc/webversie_JV2012%281%29.pdf

[46] in zijn interview tijdens het TV-programma Buitenhof op 28 december 2014 legde de huidige minister van Buitenlandse Zaken, Bert Koenders, er de nadruk op dat in het mensenrechtenbeleid ruimte moet zijn voor een 'lokale invulling'.

an additional policy instrument in implementing human rights"[47]. Clearly, the impression that the RA supports oppressive regimes or is being abused politically, should be avoided at all times[48]. Hence, a transparent methodology is paramount.

5. Challenges

Without exception, all actors interviewed from the inner circle of the project on the RA in China and Africa expressed enthusiasm and support about the potential importance of the approach to enhancing debate and also implementation of human rights. Chinese academia sees the RA as a way to demonstrate a Chinese approach to human rights, just as much as the African experts interviewed stressed the relevance of the approach by referring to the need to find "African solutions to African human rights problems".

Highlighting local human rights achievements and bearing in mind the differences in cultural contexts is relevant, but in pursuing that aim, the pilot will have to "consistently weight the importance of supporting local practice against respecting rights of minorities and vulnerable groups in society"[49] and further sustain project statements about the approach "preventing HIV/AIDS or reducing FGC" by evidence and analysis (quantitative and qualitative), methodology and strategy. The argument that social institutions and cultural values can constitute important contributions to human rights, is important, yet more concrete examples are to be identified. The pilot's purpose is to test its theory on the ground, but it is still in the phase of collecting experiences from other projects and much work is done behind desks.

The pilot could be an interesting experiment for developing an approach based on mutual respect and learning. Yet the following issues/challenges are to be addressed to ensure consistent and effective implementation of the pilot:

- RA Methodology and Strategy;
- RA knowledge base;
- RA theoretical texts and strategic documents;

[47] Lionel Veer, Dutch Ambassador for Human Rights

[48] Interview with expert

[49] Donders en Vleugel,

- RA Scientific and socio-economic wherewithal to help authorities produce better human rights reports and thus make the RA sustainable;
- RA terminology, use of the English language, conceptual clarity and definition of key concepts.

6. Conclusions

The overall objective of the pilot is to provide elements that can contribute to improving the effectiveness of Dutch human rights policy by developing and testing an innovative approach to human rights based on active engagement and dialogue at different levels with countries where human rights and fundamental freedoms deserve to be enhanced.

Evidence suggests that a growing circle of experts in Africa and China are supportive of the RA. Therefore the first burden of proof, engaging a wide circle of experts, is being met. The second, whether these engagements result in changes in state reporting and policies and third, in changes on the ground, is more difficult to prove.

The RA, in theory, is a valid approach, not "new" as such (see Advise AIV[50], Flinterman en Krommendijk[51] and Donders en Vluegel[52]), but highlighting the need to raise awareness of local solutions to addressing human rights problems. The approach emphasizes the importance of (the cultural and social) context for interpreting human rights, and therefore has good potential for echo in Africa and China. It is also plausible that African states can implement their international human rights obligations more fully through highlighting the role local African social institutions play in supporting and protecting human rights while respecting its universality. The RA connects to socio-cultural realities on the ground. Legal reforms around rights can be quite disconnected from these realities, "not only because of their top-down formulation and legal language, but also as they are often poorly

[50] De AIV wees er in het briefadvies op dat het concept van de receptorbenadering niet nieuw is en dat westerse regeringen al decennia gebruik maken van andere methoden om mensenrechten te bevorderen; het recht was en is niet het enige middel.

[51] NRC april 2012

[52] ``In our view, the receptor approach does not add much new to the existing international human rights framework and that where there may be interesting entry points, Zwart's argumentation is not always clear``. Y.M. Donders, V. Vleugel, Amsterdam Law School Legal Studies Research Paper No. 2013-64, Amsterdam Center for International Law No. 2013-25, 36 Human Rights Quarterly (2014)

understood and inaccessible among illiterate populations. For the majority of the world's poor, who, arguably, are among the most important population to protect, provision of rights and protections are accessed through customary settings and local governance structures rather than through national (or international) law"[53]. It are precisely these settings that the RA seeks to build on and strengthen. Human rights should be translated into local cultural context[54] but also vice versa, the local cultural context should be "translated" into universal human rights. "Identifying local institutions that correspond to global norms reflects great respect for the ways of life of other peoples."[55] The receptor approach pilot could represent a third way between universality and cultural relativism, an instrument designed as an alternative to confrontational measures such as sanctions, '*démarches* and *reproches*' or military action. It should not promote a cultural relativism, but a culturally sensitive approach. The crux today lies in converting theory into a practical tool for governments and NGOs alike.

The pilot's proposed bottom-up approach aims to be like adapting a plug to a socket, energising local mechanisms that contribute to securing human rights, seeking common ground in the development of an approach that demonstrates how local socio-cultural structures can strengthen human rights. Before the end of the pilot, RA theory building and methodology development require further definition, structure, refinement and "branding".

Recommendations

1. Develop one single reference document about the RA that presents the RA as a theory and a tool for human rights.
   a. A glossary of RA concepts;
   b. A RA code of ethics;

2. Clarify the link between identified receptors and their relevance to the human rights discourse and UN state-reporting mechanisms. For each receptor, a continuum between roots of TK (traditional knowledge) and fruits of national human rights accomplishments, needs to be established. The RA theory on

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[53] Archambault's Assessment of the Receptor Approach

[54] Jan Servaes; Communication for Development and social change, 2008.

[55] Alison Dundes Renteln, Professor of Political Science, Anthropology, Law, and Public Policy

identifying receptors needs to be structured. The theory on amplification needs to be revised in light of existing theory and practice.

3. Strengthen the RA methodology by:

   a. Drawing up a replicable "model" for employing the Receptor Approach in different countries and situations. Before continuing to test the approach in the field, it is important to develop a standard model that follows a sequence of steps that structure the approach. With the purpose of enhancing the overall validity of the RA and on the basis of the pilot experience thus far, strict guidelines should be elaborated. Proper branding is important to develop and align the expectations behind the RA experience and associate the approach with certain characteristics that make it unique. The model could include the following steps:

- RA country analysis (desk phase).
    - Has the pilot State complied with reporting on human rights following ratification of international instruments thus far?
    - Has there been resistance or disengagements of the target state in human rights reporting?;
    - Identification and analysis of existing social/traditional/transitional institutions and practices on the one hand;
    - Identification and nalysis of existing laws and regulations at national and regional level on the other (which ratified human rights conventions, what is the general human rights situation[56]);
- Field Phase: Involvement of government actors (without their informed consent and preferably cooperation a RA could be as seen as interfering in internal affairs). See also recommendation 3;
- Informing and involving relevant UN agencies;
- Networking and involving relevant non-government actors in different fields (academic, non-governmental, private),;
- Involvement of local representative organisations and socio-cultural structures;

[56] Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.

- Joint and participatory identification and analysis of “receptors” that can act as human rights catalysts;
- Plugging the gaps.

  b. Designing the ‘guidepost’ for identifying social institutions (local ‘receptors’ or catalysts) that protect and promote human rights (originally planned for the end of the pilot on the basis of lessons learned). At this stage, it is considered crucial that the Guidepost is developed first, defining what is meant by social institutions[57] and laying out a structure for receptor identification.

4. Develop a more strategic approach to the state-reporting part of the pilot.

In order to increase effectiveness and efficiency, the pilot is to implement a more strategic approach to state reporting following a sequence of pre-defined steps (see above). As one of the experts interviewed put it: “the real question is how a government (partnering with NGOs, communal institutions, etc.) can encourage social institutions to do better when they are not meeting the obligations”. Generally, when governments assess their efforts to comply with Conventions, these are incomplete and tend to minimise problems and maximise accomplishments. The CEDAW Committee therefore asks governments whether they have involved NGOs in preparing the government report and invites direct NGO input, in the form of independent or “shadow” reports and oral presentations, to bring women’s real concerns to national and international attention. For proving the usefulness of the RA, more interesting (and appropriate) than being involved in a shadow, is to establish formal cooperation with the government to support the state in highlighting achievements, not flaws (which shadow reports do). Such a strategic approach is to be consistently implemented by the pilot. Before testing the approach in other African countries, a model should be developed and followed to ensure prior engagement with government ministries. The 2008 reporting guidelines of the CEDAW Committee not only provide recommendations for the treaty-specific report (addressing the substantive articles of the CEDAW Convention, indicating the impact of policies to implement the Convention) but also the CCD (common core document, an account of the State party’s geography, economy, population, political system that describes the laws, policies, institutions, and remedies relating to human rights and specifically

[57] See Stanford university study on social institutions.

to discrimination). The CCD could constitute an excellent entry point for the RA approach.

5. Build in a focus on the transient, ever-changing and evolving nature of all societies in the world.

As the role of socio-cultural institutions is central to the RA, the forces of globalisation and modernisation need to be taken into account and analysed in parallel. Societies and cultures are constantly changing, evolving, and even disappearing as a result of contact with other societies, globalisation and conflict. Clearly, any attempt to retrieve an "authentic culture" refuses to acknowledge the reality of a global era. Every culture (except for some indigenous tribes in the jungles of South America and Asia) is already a blend of influences. The Receptor approach should bear witness to the transcultural nature of societies and highlight more clearly that societies nor people are static, and that "human beings possess the infinite capacity to evolve new narratives that give meaning to their lives"[58] in the field of human rights and certainly in the field of politics. Also Archibault makes this argument: "*Fundamental to an effective human rights engagement with customs and norms is an understanding and appreciation for the dynamic nature of culture. Custom lives in the day-to-day actions of individuals and is constantly under negotiation in response to changing times. Members of communities are trying to make those systems work for them in enhancing their rights and their well-being* ».

6. Avoid unproven assumptions or stereotypes and generalisations

RA theory at all times should be supported by quantitative and qualitative data and social research. Sweeping statements in RA publications are to be avoided: "*In Africa, duties are not owed to a distant and anonymous state entity, but to relatives who are close, and on whose support one depends in order to survive. Consequently, human rights relations in Africa are more direct, personal, and reciprocal, and therefore more horizontal than they are in the West". Or:" The individualism that characterises Belgian society, as well as the drugs and prostitution she encounters, conflict with her traditional values". "The reasons why Southern views on human rights currently receive little attention [..] is because the zeal with which Northern actors promote their views and the resources available […] and Southern modesty and humility."*

[58] HATE YOUR ENEMY: THE ANATOMY OF RESENTMENT IN AFRICA'S CULTURAL RESISTANCE TO THE WEST, Chielozona Eze (Work in Progress)

Indeed the issue of identity needs to be explored and constitutes a cornerstone of the RA, but using generalised contrasts between “African and western cultures”, “communalistic Africa and individualistic Europe” is fine in literature, but not in science. Simple and paralysing dichotomies between traditional and global, northeners and southeners, east and west should be abandoned, thus freeing the RA discourse from judgements based on external parameters. Societies and cultures are increasingly hybrid and should be understood in a more participatory and creative manner. It is beyond doubt that Africa’s resistance to the West has often muted into resentment that has in turn created support for questionable cultural relativism. Nigerian poet and philosopher Chielozona Eze therefore suggests “*transculturality*[59] as a way of understanding global cultural phenomenon thus freeing African cultural discourse from too much *ressentiment* and the debilitating binary of colonized/colonizer discourse parameter”.

7. Seek alignment with other initiatives, for example the UNFPA approach to integrate culture in development, called ‘culture lens’, the purpose of which is to advance the goals of programming effectively and efficiently with strong community acceptance and ownership, or the Communication for Development Approach of UNICEF.

8. Involve human rights and development experts and NGOs in the RA pilot to discuss progress of the project and enhance inputs from practitioners.

9. Include the UN in a next evaluation. The initial plan to also interview UN representatives of treaty bodies, and in particular the experts of Committee on the Elimination of Discrimination against Women, had to be abandoned. The allocated time for both re-drafting the pilot and conducting the mid-term evaluation (just four weeks) did not permit additional research. It is recommended that UN officials are approached and interviewed about the usefulness of the RA in state-reporting as their professional experience is likely to provide relevant additional insights.

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[59] HATE YOUR ENEMY: THE ANATOMY OF RESENTMENT IN AFRICA’S CULTURAL RESISTANCE TO THE WEST, Chielozona Eze (Work in Progress)